

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number 10/821,127
Filing Date 04/07/2004
First Named Inventor Kenneth J. Micklash II
Title Material Removal and Dispensing Devices, Systems, and Methods
Art Unit 1743
Examiner Name
Attorney Docket Number 38-003210US

I hereby appoint:

☒ Practitioners associated with the Customer Number:

47387

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature *Timothy L. Smith* Date 11/23/04
Name Timothy L. Smith, J.D., Ph.D. Telephone 858-812-1547
Title and Company General Power of Attorney for IRM LLC

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Kenneth J. Micklash II, et al.

Application No./Patent No.: 10/821,127

Filed/Issue Date: 04/07/2004

Entitled: Material Removal and Dispensing Devices, Systems, and Methods

IRM LLC

a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Timothy L. Smith, J.D., Ph.D.
Signature

Timothy L. Smith, J.D., Ph.D.

Printed or Typed Name

Power of Attorney for IRM LLC

Title

11/23/04
Date

858-812-1547

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Atty. Docket No.: 36-003210US
Client Reference No.: P1088US10

ASSIGNMENT

In return for good and valuable consideration paid to the undersigned inventor(s) (hereafter called the "ASSIGNOR"), by:

IRM LLC
P.O. Box HM 2899
Hamilton HM LX
BERMUDA

(hereinafter ASSIGNEE), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR(s) hereby sells, assigns and transfers to ASSIGNEE his entire right, title and interest to the invention entitled:

MATERIAL REMOVAL AND DISPENSING DEVICES, SYSTEMS, AND METHODS

For which application for Letters Patent of the United States was filed on April 7, 2004 as Application No. 10/821,127 and all Letters Patent of the United States to be obtained therefor on said application or any continuation, divisional, substitute, reissue or reexamination, or foreign counterpart thereof for the full term or terms for which the same may be granted.

The ASSIGNOR(s) agrees to execute all papers necessary in connection with the application and any continuation, divisional, substitute, reissue or reexamination applications thereof or corresponding foreign applications, and also to execute separate assignments in connection with such applications as the ASSIGNEE may deem necessary or expedient and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The ASSIGNOR(s) agrees to execute all papers necessary in connection with any interference, litigation, or other legal proceeding, which may be declared concerning this application or any continuation, divisional, substitute, reissue or reexamination thereof, or corresponding foreign applications, and also to cooperate with the ASSIGNEE in every way possible in obtaining evidence and going forward with such interference, litigation, or other legal proceeding.

The ASSIGNOR(s) agree to perform all affirmative acts which may be necessary to obtain a grant of valid United States or foreign patents to the Assignee.

The ASSIGNOR(s) hereby authorizes and requests the Commissioner of Patents and the authorities of a foreign country to issue any and all Letters Patents resulting from said application or any continuation, divisional, substitute, reissue or reexamination applications thereof, or foreign applications, to the said ASSIGNEE, as assigned of the entire interest, and hereby covenants that it has full right to convey the entire interest herein assigned, and that they have not executed and will not execute, any agreement in conflict herewith.

The ASSIGNOR(s) hereby grant SCOTT W. REID, Reg. No. 48,097, HUGH WANG Reg. No. 47,163, TIMOTHY L. SMITH Reg. No. 35,367, and all other attorneys employed by The

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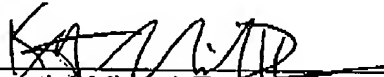
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Atty. Docket No.: 36-003210US
Client Reference No.: P1088US10

Genomics Institute of the Novartis Research Foundation, which has a business address of 10675 John Jay Hopkins Drive, San Diego, CA 92121, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

WITNESS my hand at 2:30 PM, this 8 day of NOVEMBER 2004.


Kenneth J. Micklash II

STATE OF MI)

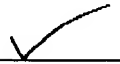
COUNTY OF Oakland)

SS.

On 11/8/04, 2004, before me, the undersigned Notary Public, personally appeared Kenneth J. Micklash II.

Kenneth J. Micklash II personally known to me

or

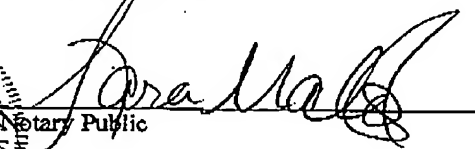


proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon before of which the person acts, executed the instrument.

WITNESS my hand and official seal.




Notary Public

Atty. Docket No.: 36-003210US
Client Reference No.: P1088US10

WITNESS my hand at San Diego, California, this 26th day
of August, 2004.


Robert Charles Downs

STATE OF CALIFORNIA)

ss.

COUNTY OF SAN DIEGO)

On August 26, 2004, before me, the undersigned Notary Public, personally appeared
Robert Charles Downs.

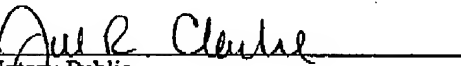
✓ personally known to me

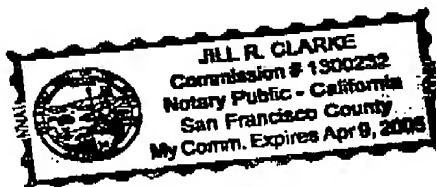
or

_____ proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument, and acknowledged to me that he
executed the same in his authorized capacity, and that by his signature on the instrument the person,
or the entity upon before of which the person acts, executed the instrument.

WITNESS my hand and official seal.


Notary Public



Atty. Docket No.: 36-003210US
Client Reference No.: P1088US10

WITNESS my hand at San Diego, California, this 26 day
of August, 2004.

Jim Yuchen Chang
Jim Yuchen Chang

STATE OF CALIFORNIA)

)

SS.

COUNTY OF SAN DIEGO)

On Aug 26, 2004, before me, the undersigned Notary Public, personally appeared Jim Yuchen Chang.

✓ personally known to me

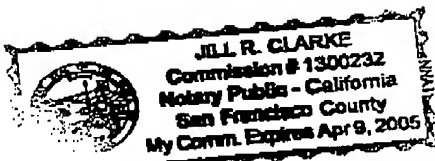
or

 proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon before of which the person acts, executed the instrument.

WITNESS my hand and official seal.

Jill R. Clarke
Notary Public



Atty. Docket No.: 36-003210US
Client Reference No.: P1088US10

WITNESS my hand at San Diego, California, this 30th day
of August, 2004.

James Kevin Mainquist
James Kevin Mainquist

STATE OF CALIFORNIA)

) ss.

COUNTY OF SAN DIEGO)

On August 30th, 2004, before me, the undersigned Notary Public, personally appeared
James Kevin Mainquist.

✓ personally known to me

or

 proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument, and acknowledged to me that he
executed the same in his authorized capacity, and that by his signature on the instrument the person,
or the entity upon before of which the person acts, executed the instrument.

WITNESS my hand and official seal.

Jill R. Clarke
Notary Public





POWER OF ATTORNEY

COPY

KNOW ALL PERSONS BY THESE PRESENTS:

That IRM LLC, a limited liability company organized under the laws of Delaware ("IRM"), does hereby make, constitute and appoint TIMOTHY L. SMITH, Reg. No. 35,367, of the NOVARTIS INSTITUTE FOR FUNCTIONAL GENOMICS, Inc. ("NIFG"), dba the GENOMICS INSTITUTE OF THE NOVARTIS RESEARCH FOUNDATION ("GNF"), 10675 John Jay Hopkins Drive, Suite E225, San Diego, CA 92121, its true and lawful attorney, for it and in its name, place and stead, with full power of substitution to represent and act for it in all matters pertaining to the filing and prosecution of patent applications in the United States and internationally, and in general to perform on behalf of IRM LLC all acts such attorney deems to be necessary and/or advisable for and/or in connection with the filing, prosecution and/or abandonment of patent applications and the maintenance of patents including, but not limited to, the payment of maintenance fees, the prosecution of interferences and the filing of patent term extension applications excluding, however, the power to execute in the name of IRM LLC contracts such as interference settlement agreements. Such attorney, may, with the consent of IRM LLC, appoint and pay one or more other attorneys to perform one or more acts that such attorney is authorized by this Power of Attorney to personally perform and may sign (short of executing a contract on behalf of IRM LLC) all other documents contemplated by and/or deemed necessary and/or advisable in connection with this Power of Attorney.

IRM hereby ratifies and confirms all that said attorneys or their substitutes shall lawfully do, or cause to be done, by virtue hereof.

IN WITNESS WHEREOF, IRM has caused this Power of Attorney to be signed by its officer thereunto duly authorized this 4th day of October, 2004.

IRM LLC

By: B. Aebischer

Bernard Aebischer
Secretary

J. Reinhardt
Joerg Reinhardt
President